

MISC. ORDER '97-1

THE COURT:

This order supersedes amended miscellaneous order '96-2.

Code of Civil Procedure section 237, subdivision (a)(2), provides: "Upon the recording of a jury's verdict in a criminal jury proceeding, the court's record of personal juror identifying information of trial jurors, as defined in Section 194 [of the Code of Civil Procedure], consisting of names, addresses, and telephone numbers, shall be sealed until further order of the court as provided by this section." Subdivision (a)(3) of section 237 provides: "For purposes of this section, 'sealed' or 'sealing' means extracting or otherwise removing the personal juror identifying information from the court record."

Rule 33.6, California Rules of Court, implements the statute by requiring that juror identification information be kept under seal in the trial court's file and that clerk's and reporter's transcripts will identify jurors only by numbers. The key to match these numbers to names shall be kept under seal in the trial court's file.

An appellant seeking to unseal the juror identification information shall do so by following the procedure set forth in section 237 of the Code of Civil Procedure, applying to the trial court. If appellant seeks to unseal the information in connection with appellate review of the verdict and the trial court has denied a request to unseal, appellant may seek to unseal the juror identification information by motion in the Court of Appeal, supported by a record of the proceedings on the request denied by the trial court.

Dated: August 18, 1997

Gary E. Strankman
Administrative Presiding Justice